

UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH

MEMORANDUM

TO: Bankruptcy Practitioners
Pro Se Debtors

FROM: United States Bankruptcy Court Clerk

SUBJECT: Chapter 13 Checklist

NOTICE TO DEBTORS FILING A PETITION UNDER CHAPTER 13
WITHOUT THE CHAPTER 13 PLAN

The Court's policy regarding mailing of a Chapter 13 Plan with the 11 U.S.C. § 341 notice is:

Any plan that is docketed and imaged prior to the processing of the 11 U.S.C. § 341 Notice to the Bankruptcy Noticing Center will be included with the 11 U.S.C. § 341 Notice of Meeting of Creditors. The debtor is responsible for sending a copy of the Plan to the Trustee and to each creditor if the Plan was not mailed by the Court. If a Plan is not filed within 14 days of the filing of the case, your case may be dismissed.

CHECKLIST FOR CHAPTER 13

Minimum Requirements at Time of Filing

- ☐ cashier's check/cash/money order/credit card payment/check drawn on the account of the filing attorney for \$310.00 (**Checks from debtors will not be accepted**) See Local Rule 5080-1

Original only of the following:

- ☐ Mailing matrix - original only:
 - creditor listing in alphabetical order with correct addresses not to exceed 4 lines in Courier 10, Prestige Elite or Letter Gothic font. See Local Rule 1007-1(b)
 - NOTE: Please e-mail the matrix; instructions are available on the Court's website at: <https://www.utb.uscourts.gov/forms/list-creditors-instructions>
- ☐ Mailing matrix of domestic support creditors, if any, as defined in 11 U.S.C. § 507(a)(1)(A) and (B), formatted as described above
- ☐ Petition (Official Form 1 Revised 12/07) signed by debtor(s) and/or attorney/petition preparer (with 11 U.S.C. § 342(b) certification)
- ☐ Official Form 1, Exhibit D
 1. Certification on Exhibit D attached to the petition that debtor received pre-filing budget and credit counseling during the 180-day period before the petition was filed, AND a certificate from the counseling agency describing the services provided to the debtor and copy of the debt repayment plan, if any, developed through the agency as required by 11 U.S.C. § 521(b) OR
 2. A request for waiver under 11 U.S.C. § 109(h)(3)(A) on the petition, AND file a separate application for exemption and a pending order granting the application, OR
 3. A request for determination under 11 U.S.C. § 109(h)(4) See Local Rule 1007-1(d)

- ☐ If individual with primarily consumer debts, Notice to Individual Consumer Debtor
- ☐ Statement of Social Security Number (Official Form 21)

Additional Filing Requirements

(must be filed within 14 days after filing the petition)

Original only of the following:

- ☐ Schedules A through J, Summary of Schedules, Statistical Summary of Certain Liabilities and Perjury Statements for Schedules signed by debtors (Official Form 6 revised 12/07)
- ☐ Statement of Financial Affairs (Official Form 7 revised 12/07)
- ☐ Chapter 13 Plan
- ☐ Statement disclosing compensation paid or promised to be paid to the attorney for the debtor
- ☐ Statement of Current Monthly Income and Means Test Calculation (Official Form 22C)
- ☐ Notice to Debtor by **Non-Attorney** Bankruptcy Petition Preparer and Declaration and Signature of **Non-Attorney** Bankruptcy Petition Preparer (Official Forms 19A/19B)(if applicable)
- ☐ Record of any interest that debtor has in an education individual retirement account or a qualified State tuition program as set forth 11 U.S.C. § 521(c)

Refer to Local Rule 1007-1, 2083-1 and 5005-1 for Filing Papers-Requirements.

- ☐ The debtor must also provide to the trustee not later than 7 days before the date first set for the first meeting of creditors, a copy of the Federal income tax return for the most recent tax year ending immediately before the commencement of the case. FED. R.CIV.P.4002(b).
- ☐ The copies of payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor from any employer of the debtor, or a statement under penalty of perjury concerning payment advices must be provided to the case trustee within 14 days of the petition date at the trustee's mailing address or an e-mail address designated by the trustee. (See Standing Order Number 12-002)

The debtor must also provide to the trustee at or before the meeting of creditors:

- ☐ Proof of all charitable contributions made within 60 days before the date of the filing of the petition;
- ☐ A copy of the most recent county property tax assessment for all real property listed on Schedule A;
- ☐ A profit and loss statement if a debtor had self-employment income for the 60 days prior to filing, including income reported on an IRS Form 1099; AND
- ☐ A business questionnaire for each business operated by the debtor 60 days prior to filing. *See* Local Rule 2083-1

Not later than the day before the date on which the meeting of creditors is first scheduled to be held, the debtor must file and serve on the Trustee a declaration regarding tax returns. *See* Local Rule 6070-1(c).

Debtor's Certification of Completion of Instructional Course Concerning Personal Financial Management (Official Form 23) must be filed before a discharge order can be issued. A certificate from the Personal Financial Management providers alone will not suffice. *See* Fed. R. Bankr. P. 1007(b)(7).

Official Bankruptcy Forms may be obtain from the U.S. Court's website at:
www.uscourts.gov/bkforms/index.html.